

**OUTGOING
TELEGRAM**

Department of State

1958 DEC 29 PM 8

12668

**INDICATE: COLLECT
 CHARGE TO**

SECRET

Classification

SENT TO: Amembassy PARIS TOPOL. PRIORITY 2/4/17

PRIORITY 2/4/7

RPTD INFO: Amembassy LONDON PRIORITY 5973
Amembassy MOSCOW PRIORITY 1007
Amembassy BONN PRIORITY 1354
USBER BERLIN PRIORITY 372

PARIS DELIVER BURGESS 9:00 A.M. DECEMBER 30.
POLTOS 1820 and 1821.

1. While we continue to prefer version of two concluding paragraphs agreed by UK and US, it seems unlikely French can be persuaded to accept our language in time to make delivery possible December 31. We are therefore faced with alternatives of accepting French formulation or of agreeing that language English and French texts could vary on assumption that in any event translation difficulties produce differences. Moreover we see no significant substantive difference which could justify concern. We are accordingly prepared to go ahead on basis of two separate formulations.

2. Re designation of GDR, after careful consideration we believe formula

RM/R
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Rev- Telephonic
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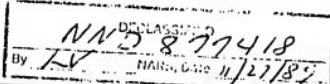
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QUOTE

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UNQUOTE

QUOTE authorities of the so-called German Democratic Republic/should be substituted in paragraph nine for QUOTE German authorities in the Soviet Zone UNQUOTE, in paragraph ten for QUOTE German regime in the Soviet Zone UNQUOTE, QUOTE regime in the Soviet Zone UNQUOTE and QUOTE regime of the Soviet occupied zone UNQUOTE. Formula QUOTE so-called GDR territory UNQUOTE should be substituted for QUOTE the Eastern Zone of Germany UNQUOTE in paragraph ten. Wording in paragraph four QUOTE its puppet regime-the so-called GDR UNQUOTE should be retained. In paragraph three second sentence should be modified to read QUOTE When the empire of Hitler collapsed the Western Allies were in military possession of more than one-third of what became the Soviet Zone of Germany UNQUOTE .

3. Having compared our draft with UK draft contained POLTO 1803, we have noted number of textual changes made by British in earlier sections. With one possible exception none of these appears to be of major substantive importance. Any further attempt to conform texts completely would probably only cause last-minute confusion and possible delay. Hence, except for changes noted above re designation GDR, US text should remain as is. We assume British omission of our paragraph 5 represents judgment that historical and legal argument made therein comes with best grace from US which occupied major portion of territory in question, rather than from any substantive disagreement. If this is case, we would urge that British instruct Foreign Office spokesman, if queried as to possible significance this difference ~~in~~ UK and US replies, to say that UK of course supports logic in US reply but felt most appropriate that point be made by us. We would take same line here if queried.

4. Numbering

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4. Numbering of paragraphs in US reply (which provided for convenience in coordinating) should be dropped in final note to conform to normal US practice.
5. Re POLTO 1821 which just received, consider that at this stage best course would be politely to ignore Belgian and Canadian comments. Re Spaak formula for designation GMR, prefer our version as in paragraph two above.

HERTER
Acting
(LTM)

HERTER

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By

NAME, DATE 14/2/82